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## **PARK CITY MUNICIPAL CORPORATION MUNICIPAL CODE**

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### **TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.8 PROTECTED OPEN SPACE (POS) DISTRICT**

*Chapter adopted by Ordinance 00-51*

#### 15-2.8-1. PURPOSE.

#### 15-2.8-2. USES.

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#### 15-2.8-5. ARCHITECTURAL REVIEW.

#### 15-2.8-6. VEGETATION PROTECTION.

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#### 15-2.8-8. RELATED PROVISIONS.

#### **15-2.8-1. PURPOSE.**

The purpose of the Protected Open Space (POS) District is to:

- (A) promote useable, public, non-improved, non-commercial, connected and contiguous Open Space for community benefit,
- (B) promote open lands that remain fundamentally undisturbed,
- (C) prohibit construction on ridge lines and Steep Slopes, or in wetlands, watersheds, and view sheds,
- (D) promote the preservation of Historic Sites,
- (E) preserve the vegetation and habitat of natural Areas,
- (F) provide incentives to protect Open Space and conservation resources through voluntary conservation easements and/or deed restrictions, and
- (G) provide for careful review of low-intensity recreational Uses and environmentally-sensitive, non-motorized trails.

#### **15-2.8-2. USES.**

Uses in the POS District are limited to the following:

#### (A) ALLOWED USES.

- (1) Conservation Activity

#### (B) ADMINISTRATIVE CONDITIONAL USE PERMIT (CUP).

- (1) Parking Area or Structure for four (4) or fewer spaces.
- (2) Fences greater than six feet (6') in height from existing Grade.

#### (C) CONDITIONAL USES.

- (1) Trail and Trailhead Improvement
- (2) Essential Municipal Public Utility Use, Service, or Structure
- (3) Accessory Building, less than 600 sq. ft.
- (4) Ski-related Accessory Building, less than 600 sq. ft.
- (5) Parking Area or Structure, for five (5) or more spaces
- (6) Recreation Facility, Public
- (7) Mines and Mine Exploration

(8) Ski Tow Rope, Ski Lift, Ski Run, Ski Bridge (Subject to a City approved Ski Area Master Planned Development and LMC Section 15-4-18)

(D) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

*(Amended by Ord. No. 06-69)*

#### **15-2.8-3. LOT AND SITE REQUIREMENTS.**

All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

#### **15-2.8-4. BUILDING HEIGHT.**

No Structure may be erected to a height greater than twenty-eight feet (28') from existing Grade. This is the Zone Height.

(A) **BUILDING HEIGHT EXCEPTIONS.** The following exceptions apply:

(1) Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

(2) Antennas, chimneys, flues, vents and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC) requirements.

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened may extend up to five feet (5') above the height of the Building.

*(Amended by Ord. Nos. 06-69; 07-25)*

#### **15-2.8-5. ARCHITECTURAL REVIEW.**

Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

*(Amended by Ord. No. 06-69)*

#### **15-2.8-6. VEGETATION PROTECTION.**

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in Title 14 and LMC Section 15-3-3(D).

*(Amended by Ord. No. 06-69)*

#### **15-2.8-7. SIGNS.**

Signs are allowed within the POS District as provided in the Park City Sign Code, Title 12.

#### **15-2.8-8. RELATED PROVISIONS.**

Fences and Walls. LMC Section 15-4-2.

Accessory Apartment. LMC Section 15-4-7.

Satellite Receiving Antenna. LMC Section 15-4-13.

Telecommunication Facility. LMC Section 15-4-14.

Parking. LMC Chapter 15-3.

Landscaping. Title 14; LMC Section 15-3 -3.(D).

Lighting. LMC Chapters 15-3 and 15-5.

Historic Preservation Board. LMC Chapter 15-11.

Park City Sign Code. Title 12.

Architectural Review. LMC Chapter 15-5.

Snow Storage. LMC Section 15-3 -3.(E)

Parking Ratio Requirements. LMC Section 15-3 -6.(A)(B).

Passenger Tramways and Ski Base Facilities. LMC Chapter 15-4-18.

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